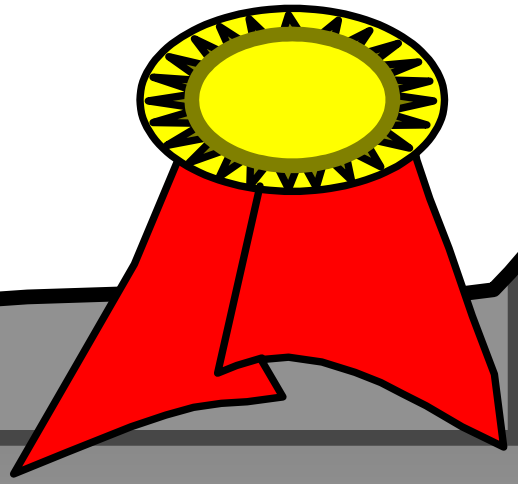
Contractual Instruments

Contingency Contracting



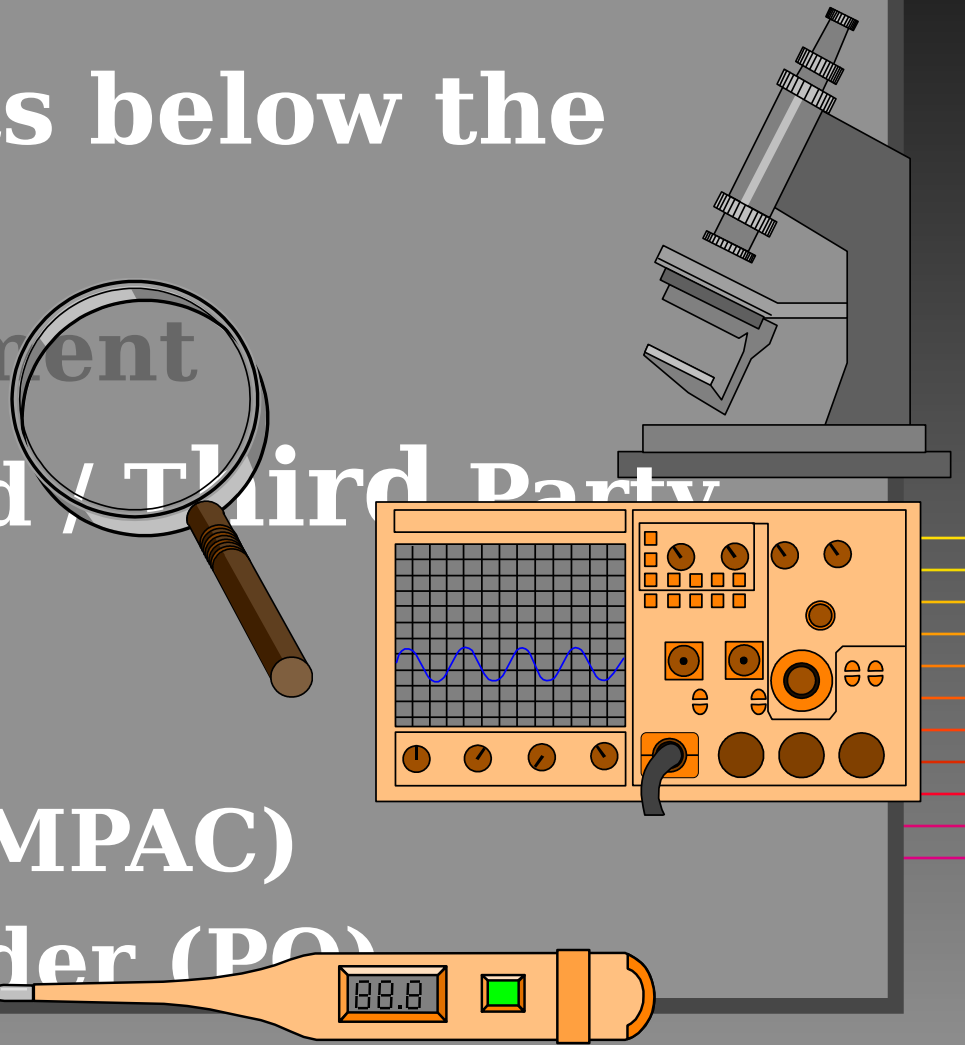
Who will write the contract?

Lesson Objectives

- List, describe and properly apply, using ***automated resources,***
  - procurement instruments available in a contingency environment
  - documents required to support contract instruments.
- List, describe and prepare reports of procurement actions using ***automated resources.***
- Establish internal control procedures for the proper administration of the Contingency Contracting Office

Types of Instruments

- Requirements below the SAT:
  - PIIN Assignment
  - Imprest Fund / Third Party Drafts
  - SF44
  - GCPC (was IMPAC)
  - Purchase Order (PO)
  - Blanket Purchase Agreement



PIIN Assignment

NAME	POSITION
Activity Address	1-6
FY	7-8
Type of Instrument	9
Serial Number	10-13
Amendment, Modification, BPA Call, or Delivery Order Numbers	Supplemental (4 to 6 alpha-numerics)

Example?

..

N00062-99-C-0001

Contracting Unit Identification

Fiscal Year

Proc. Type

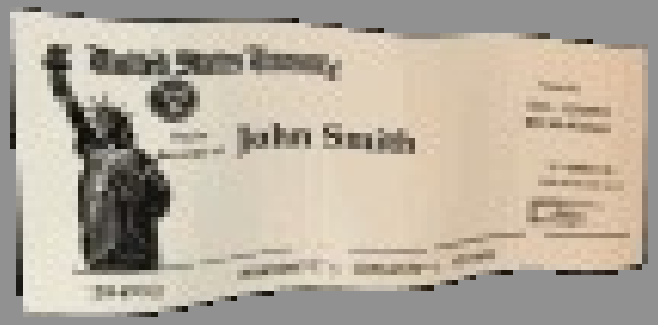
Serial Number

Imprest Fund

- Transaction limit $500
- Increases to $2,500 in a contingency
- Simultaneous order placement and item delivery
- No detailed specs or technical inspections

Third Party Drafts

- **Same rules as Imprest Fund, except:**
  - **Transaction limit $2,500**
  - **Increase only as authorized via Treasury restrictions**
  - **Usually check (not**



SF 44

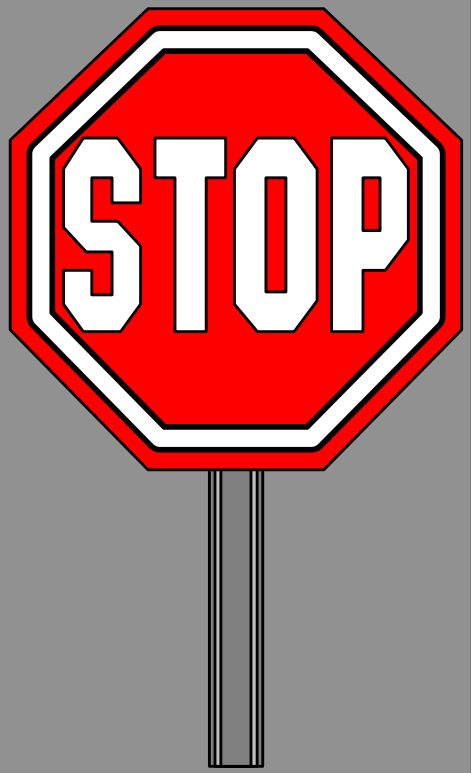
- Multipurpose form
- Transaction limit $2,500
- Up to SAT for “urgent and compelling” or “declared contingency”
- Supplies must be immediately available

Government-wide Commercial Purchase Card (GCPC)

- Also known as IMPAC
- Transaction limit $2,500 (US)
- Transaction limited to $25,000 (OCONUS)
- Up to SAT for GSA Federal Supply Schedules
- Up to SAT as payment

GCPC Prohibited Uses

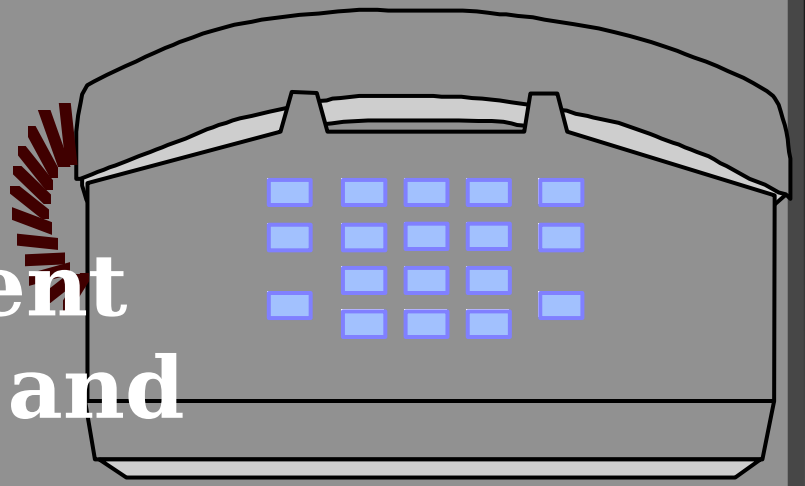
- Incrementation
- Cash advances
- Rental/Lease of real estate
- Telecommunications
- Service specific prohibitions
  - For example: Navy restrictions



Purchase Order

- DD1155 or SF1449
- Self-contained
- One-time contract
- Individual transactions limited to SAT

Blanket Purchase Agreement



- Not a contract
- Advance agreement regarding prices and delivery terms
- Each BPA call has the same legal effect as a PO and must be funded
- Decentralizes purchasing actions

Types of Instruments

- Requirements below the SAT:
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  - SF 44
  - GCPC
  - Purchase Order
  - Blanket Purchase Agreement (BPA)

Types of Instruments

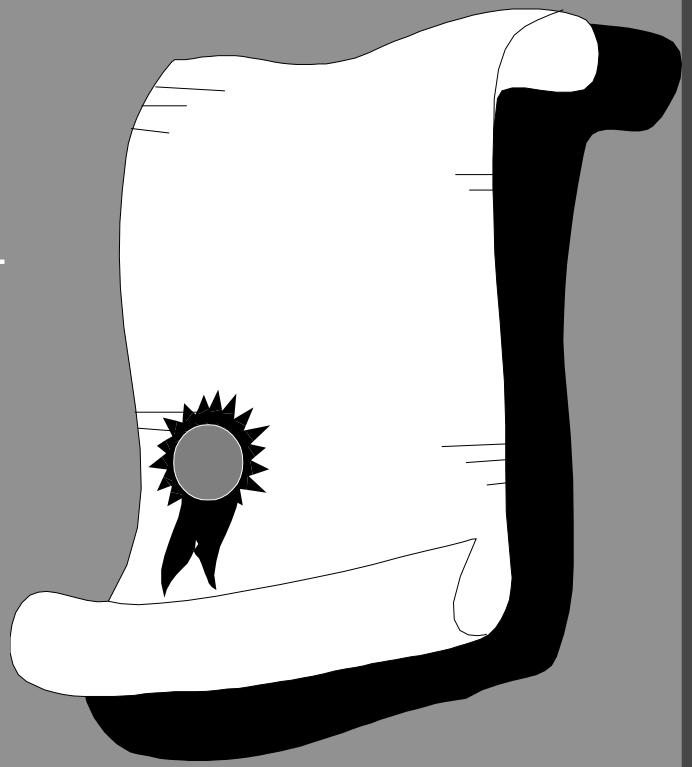
- Requirements exceeding the SAT
  - Oral Solicitations
  - Letter contracts
  - Indefinite Delivery (ID) Contracts
    - Indefinite quantity (IDIQ)
    - Requirements contracts

Oral Solicitations

- FAR 15.203(f) for use of oral solicitations
- FAR 6.302-2 for other than full and open competition due to urgency
- FAR 5.202(a)(2) or (12) for waiving synopsis
- Requires File documentation for oral solicitations, J&A for OTF&OC, and D&F for synopsis

Letter Contracts

- FAR 16.603
- Gets contractor on the job quickly
- HCA approval required prior to award
- Must contain NTE amount
- Definitize before completing 40%, expending 50% of NTE, or 180 days



Indefinite Delivery Contracts

- Three Types
  - Definite Quantity
  - Indefinite Quantity
  - Requirements
- -Advantages
  - Pricing is Set
  - Firm-Fixed Price / Fixed Price with Economic Price Adjustment
  - Consolidation of Customers' Individual PRs

Requirements Contracts

- Type of indefinite delivery contract
- No money obligated up front
- Individual delivery orders funded
- Only one source per commodity/service
- Contractor must perform

Definite Quantity / Indefinite Quantity

- Types of indefinite delivery contract
- Funded minimum up front
- Individual delivery orders funded
- Multiple awards per commodity/service
- Compete among holders or rotate

Delivery Order

- Similar to BPA Call
- More complex products/services
- Written against indefinite delivery contracts
- Executed on SF1449 / DD1155

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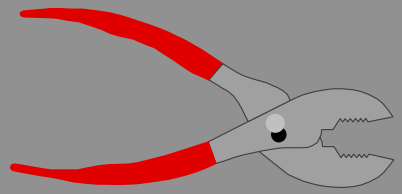
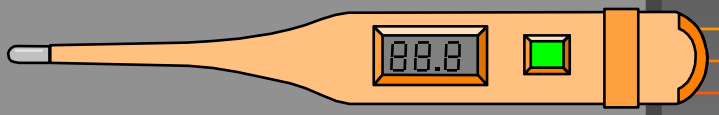
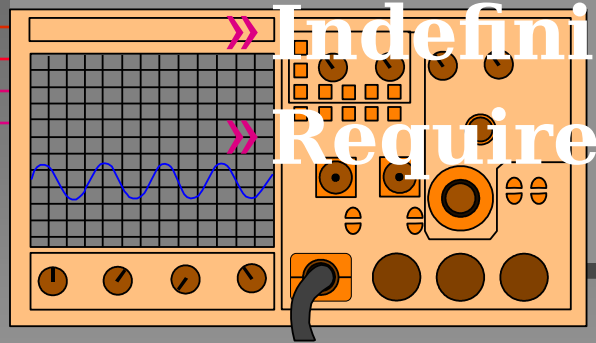
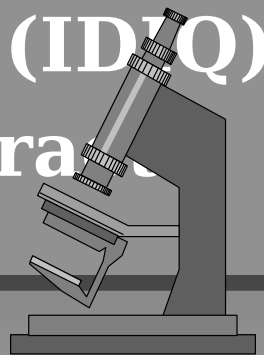
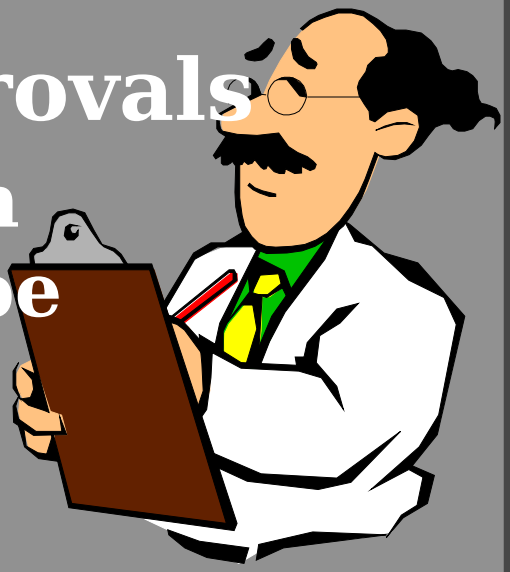





Supporting Documentation

- Justifications and Approvals
  - other than full and open competition, out of scope mods
- Determinations and Findings
  - oral solicitations, advance payments, letter contracts, waiving synopsis, ratifications
- Equipment Lease or



Accountability

- PIIN Log
  - Every purchase!
- DD 1057
  - Summary of purchases $25K or less
- DD 350
  - Individual purchases over $25K
  - Only required for purchases over the SAT when in a declared contingency

Summary

- Application of waivers allows the CCO to complete contractual actions expeditiously
- Several vehicles available -- select the one most appropriate to the situation
- Support documentation critical to defend against auditors
- Tools for accountability ensure